



Department of the Navy

# TREATY TIMES

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WINTER 2006

## SPECIAL POINTS OF INTEREST:

- The Theme of this Newsletter is Flight Plan/Perimeter Negotiations
- Spotlight Treaty: SA/LW

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## NEXT ISSUE:

Current Events

## Captain's Corner

As I draft this note, we are preparing Naval facilities for a Russian overflight of the United States during our week of Thanksgiving. Looking back over 2006, we have had Russian inspection teams in the U.S. almost every other week, as they exercise their treaty rights under either [START](#) or the Treaty on Open Skies. "May you live in interesting times," is certainly descriptive. We are no longer in the Cold War. As we are in a long term Global War on Terror, we are also operating within a set of long term international treaty commitments that obligate readiness for treaty verification inspections anytime and anywhere.

In previous issues of the Treaty Times, we have highlighted some of the rights and responsibilities of the United States during verification activities and focused on how these verification activities could impact military operations and activities. In this issue, we will discuss real-time negotiations that occur during inspections. Specifically, we will address the process of negotiation that determines flight paths for Open Skies Treaty overflights and the negotiations that take place to determine the inspectable-area perimeters for Chemical Weapons Convention Challenge Inspections (CWC-CI). To ensure that the interests of the Department of the Navy (DON) and its activities are fully protected, the Naval Treaty Implementation Program (NTIP) is involved from the very beginning. It is very important that your command interests are identified and included from the very start. Command input is critical to identifying high value activities that might be impacted by an Open Skies Treaty overflight. Command input to [CWC-CI](#) perimeter negotiations is critical to protecting sensitive programs from compromise. Early identification of issues, through [NTIP](#), can allow informed representation to ensure effective negotiations that minimize impact to [DON](#) equities.

In this issue of the Treaty Times, you will also find a spotlight article on the international efforts to reduce the illicit trade of Small Arms and Light Weapons (SA/LW). There are unstable areas of the world where nations consider [SA/LW](#) to be weapons of mass destruction; a number of proposals are being actively considered under the auspices of the United Nations and various regional organizations to regulate, track and better control SA/LW trade.

Finally, on 17 October 2006, I presented an NTIP briefing at the Commander, Navy Installations Command (CNIC) Force Protection Working Group conference at Naval Amphibious Base, Little Creek, VA. The briefing was well received and generated numerous questions and comments. It is clear that [CNIC](#) has a significant role in the preparation of DON activities for arms control inspection activities. A strong and vibrant understanding between CNIC and tenant commands of the path to meeting treaty obligations is vital. In the upcoming year, NTIP will be working closely with installations and tenant commands to ensure that the Department of the Navy's plans and procedures are ready to respond to Treaty-related verification activities anywhere in the world.

At NTIP, we look forward to actively providing you the arms control implementation assistance and compliance certification that you need to accomplish your mission.



**Captain Robert J. Vince**

Robert J. Vince  
CAPT, USN  
Director, NTIP

## International Atomic Energy Agency (IAEA)

### IAEA Additional Protocol (AP) Moves to Conference Committees

On 9 December 2006, Congress passed the U.S.-India Peaceful Atomic Energy Cooperation Act, containing the U.S.-[IAEA](#) Additional Protocol (AP) Implementing Legislation as a Title II attachment. The bill will now be forwarded to the President for signature. However, passage of the [AP](#) Implementing Legislation is only the first step. A number of associated actions are required to be accomplished before the President can deposit the U.S. Instrument of Ratification with the IAEA and that timeline is still unknown at this time. [NTIP](#) will keep you apprised of further developments and what this means to the [DON](#) and its implementation and compliance responsibilities.



## Treaty on Open Skies (OS)

### Flight Plan

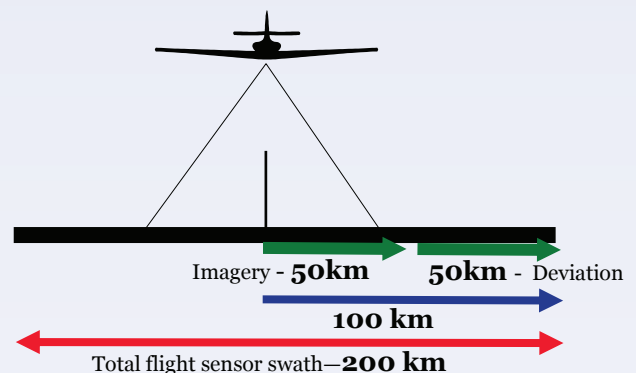


Agreeing upon a final flight plan for an [OS](#) Treaty mission is a process of negotiation. The OS mission flight path may include any territory (including hazardous airspace and special use airspace designated as warning, restricted, prohibited, military operations and alert areas) of a signatory country. [NTIP](#) receives the intent to conduct an overflight from the requesting party a minimum of 72 hours before a mission aircraft arrives in the United States. NTIP sends the General Alert Notification upon receipt of this intent to conduct an overflight. NTIP requires acknowledgement of receipt and asks that all commands assess their vulnerabilities for the duration of the OS mission. Representatives of the United States government use this assessment information in the flight plan negotiation process.

During an OS treaty mission, the United States receives a proposed flight plan from the observing country. The United States has four hours to review the proposed flight plan and request changes be made to it. It is important to remember that while the United States may propose alternate routes, times, or altitudes **the observing party is not obligated to accept these proposals, unless there is a legitimate safety of flight issue.** When the United States completes its review of the proposed flight plan, the plan and any requested changes are submitted to the observing party. The ob-

serving party then has four hours to review the proposed changes and accept or reject them. At the end of that time or when the observing party has completed its review the United States receives the final flight plan. This is the negotiated flight plan for the OS mission. NTIP sends a Final Flight Plan Message to commands within the final sensor swath and requires acknowledgment of message receipt.

The final sensor swath from the mission aircraft cannot exceed 200 km. Imagery can be taken out to 50 km from the negotiated flight path. The mission aircraft is allowed to deviate up to 50 km from the flight path without turning off its sensors. Therefore, the imagery could include an area of up to 100 km on either side of the flight path with a total potential sensor swath width of 200 km.



## 50th Annual Tailhook Convention

This September marked the 50<sup>th</sup> Annual Tailhook Convention. [NTIP](#) was in attendance as one of the 102 exhibitors to fill the ballroom of John Ascuaga's Nugget hotel in Reno, Nevada. Naval Aviators and guests from across the nation made up the group of over 3,000 attendees who took in the extensive military-industrial display of naval aviation's capabilities.

NTIP's focus throughout the three-day convention was to promote overall treaty implementation and arms control awareness throughout the naval aviation community and its supporters. Due to the nature of the audience, the primary focus of this outreach effort was the

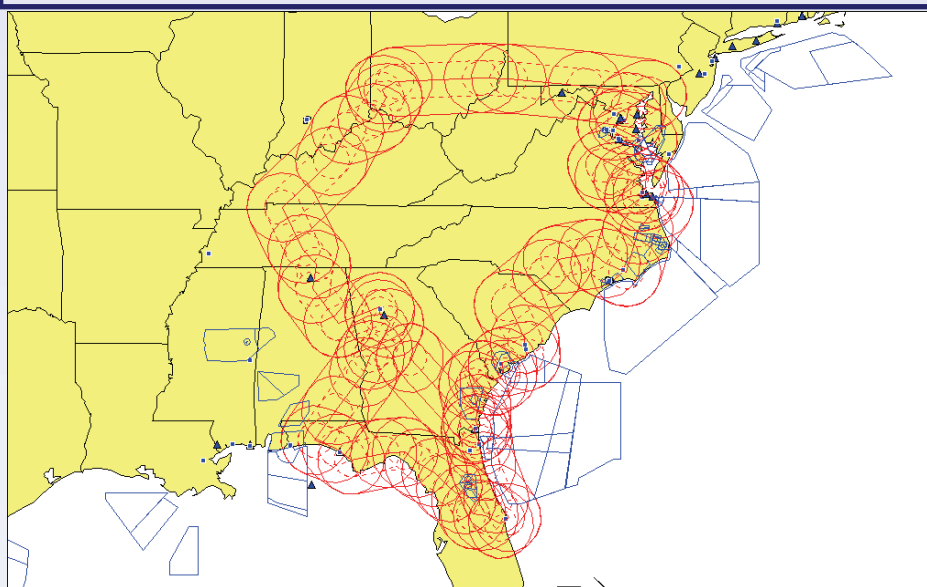
Treaty on Open Skies. However, interest was also generated for the Conventional Armed Forces in Europe Treaty, the Chemical Weapons Convention, and NTIP's Compliance Assessment Program.

The Tailhook Association, a nonprofit organization specializing in the support of the aircraft carrier and other sea-based aviation, hosts the Tailhook Convention annually. The convention consists of daily exhibits, meetings, Flag Panels, and social gatherings. Guest speakers at this year's convention included Senator John McCain and ADM Robert F. "Rat" Willard. For more information about the Tailhook Convention or the Tailhook Association, go to <http://tailhook.org/>.

## October 2006 Russian Passive Mission Flight Update Message

Due to aircraft maintenance problems with the Russian TU-154, [NTIP](#) released its first Flight Update message during the October 2006 Open Skies Russian Mission over the United States. The Flight Update message is intended to provide individual [DON](#) facilities in the flight path with newly estimated overflight times. In this instance due to time constraints, a single message was sent notifying facilities that they would be updated by telephone, fax, or e-mail. All facilities were notified in a timely manner.

## October 2006 Russian Passive Mission Overflight Map



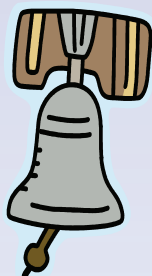
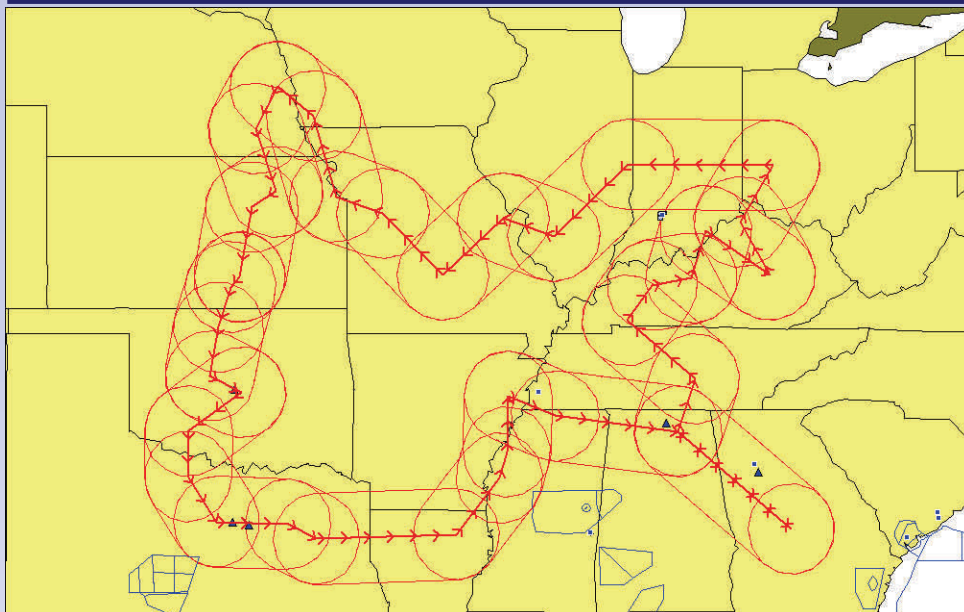
### Top 10 Responders



### OCTOBER 2006 RUSSIAN PASSIVE MISSION 101445

1. NUWC KEYPORT
2. NUWC DET SAN DIEGO
3. NAVSHIPYD PUGET SOUND
4. NUWC NEWPORT
5. NAVSHIPYD NORFOLK
6. CGII MEF
7. MCB CAMP LEJEUNE
8. NSSC BANGOR
9. SPAWARSSYSCEN SAN DIEGO
10. SUPSHIP GULF COAST

## November 2006 Russian Passive Mission Overflight Map



### Attention on Deck

Did your facility make the Top 10 Responders list?  
How do you avoid the Bottom 10 Responders list?  
Who is your Open Skies POC? Who responds to Open Skies Messages for your facility?

For answers and assistance with these questions, please call us at 703-601-9646 (DSN 329).

### Top 10 Responders



### NOVEMBER 2006 RUSSIAN PASSIVE MISSION 141900

1. FACSFAC  
JACKSONVILLE
2. COMUSFLTFORCOM  
NORFOLK
3. NAWC/NAWS CHINA  
LAKE
4. NUWC KEYPORT
5. NSSC NORFOLK
6. COMSUBRON 8
7. NUWC DET SAN DIEGO
8. COMSTRATCOMWING 1  
TINKER
9. NAWC PAX RIVER
10. NAVSHPYD NORFOLK

## Compliance Assessment Program (CAP)

### Research and Development

Since the Fall Edition of the Treaty Times, CAP outreach efforts have achieved new heights! CAP's highest-profile achievement to date occurred on 18 September when RADM Stephen Johnson, Director, Strategic Systems Programs (DIRSSP) and CAPT Bob Vince, Director, NTIP briefed Dr. Delores Etter, the Assistant Secretary of the Navy for Research, Development, and Acquisition (ASN (RD&A)). Following the briefing, Dr. Etter directed that the brief also be

given to her Deputy Assistant Secretaries, which occurred on 3 October. As a result, CAP now has a larger and more receptive audience with a greater appreciation for arms control treaty compliance responsibilities.

RADM Johnson is the Executive Agent, as delegated by ASN (RD&A), for all DON arms control compliance and implementation functions and ensures for Dr. Etter that all DON activities



(Navy and Marine Corps) are compliant with arms control treaties and agreements of the United States. NTIP is responsible for conducting the day-to-day coordination of [DIRSSP](#)'s compliance and implementation functions. CAP supports its customers by conducting comprehensive arms control compliance assessments to ensure all of their programs and activities are compliant with arms control treaties and agreements as required by U.S. domestic and international laws, U.S. foreign policies, and [DoD](#)/DON directives and instructions.

CAP outreach has particular success in the "R" (Research) of "RD&A." Recent CAP outreach initiatives to the Office of Naval Research (ONR) to support their Future Naval Capabilities (FNCs) and Joint Capability Technology Demonstrations (JCTDs) have resulted in CAP's integration into the [FNC](#) and [JCTD](#) review processes. CAP's support to Program/Project Managers in identifying possible future treaty impacts and concerns at an early stage of development is critical to minimizing programmatic risk.

#### **Future Naval Capabilities (FNCs).**

CAP has been coordinating with [ONR](#) personnel with program management and oversight responsibilities for FNCs to ensure that the FNC proposals are treaty compliant. CAP assessed each FY09 FNC proposal against multiple international treaties, agreements, and U.S. policies to ensure compliance and provided a formal memorandum to certify arms control compliance.

#### **Joint Capability Technology Demonstrations (JCTDs).**

CAP has been involved at the annual Candidate Selection Stage of the Advanced Concept Technology Demonstrations (ACTDs) process since 2003 to ensure that the selected candidate [ACTDs](#) are compliant with international treaties, agreements, and U.S. policies early in the candidate decision process. As jointness has

become increasingly important in defense planning, ACTDs are being replaced by JCTDs and CAP has not missed a beat. CAP continues to support ONR in ensuring all current and future Navy JCTD candidates are compliant with these treaties and agreements.

RADM Johnson would like to extend his sincere appreciation to the Chief of Naval Research, and ONR's senior management and their staffs for integrating the Compliance Assessment Program into their review processes. Early consideration of arms control treaty compliance impacts greatly reduces the risk of potential compliance concerns in the future.

**"Early consideration of arms control treaty compliance impacts greatly reduces the risk of potential compliance concerns in the future."**

Although ONR's integration of CAP into their program management team is significant, it is only one of several [R&D](#) outreach initiatives that have borne fruit. CAP field activities at Naval Surface Warfare Center Dahlgren Division, Naval Surface Warfare Center Indian Head Division, and Na-

val Air Warfare Center Weapons Division have been participating in technology reviews with technical personnel involved in R&D efforts to have their programs/projects assessed for arms control compliance at a very early stage.

As a result of CAP's outreach endeavors and customer feedback, several continuous improvement areas have been identified and are currently being implemented. CAP is constantly outreaching to its customers to better assist them in fulfilling their responsibilities to remain compliant with arms control treaties and agreements.

If you have any questions with regard to a previous assessment or to ensure you fulfill your program management/oversight obligations and would like to have your program or activity assessed for arms control compliance at no cost, please contact [ntip@ssp.navy.mil](mailto:ntip@ssp.navy.mil). For further information or to schedule an arms control compliance brief for your office, please contact us at 1-888-867-5880 or visit our website at <http://www.ntip.navy.mil>.

## *Chemical Weapons Convention (CWC)*

# Perimeter Negotiations During a Chemical Weapons Convention Challenge Inspection: What Gets Inspected?

We have written previously in the *Treaty Times* about unique aspects of the [CWC](#) and its challenge inspection (CI) regime. In this article, we would like to share with you how a site diagram is agreed upon between the Inspected State Party (ISP) and the Inspection Team (IT) during a challenge inspection. This site diagram may set the focus of the inspection in that it contains a perimeter in which inspection activities occur while at the same time sets a limitation of access.

A CWC Challenge Inspection is very different from other arms control inspections because there is no preexisting or declared site and site diagram. In fact, [CIs](#) are short notice inspections of undeclared facilities designed to investigate allegations of noncompliance of signatory nation State (or State Party) anywhere and at anytime on territories the State Party owns or has jurisdiction over, including its military bases on territories of other allied nations.

### Types of Perimeters

Part X of the CWC's Annex on Implementation and Verification (also known as the Verification Annex) entitled "Challenge Inspections Pursuant to Article IX" governs a challenge inspection and all of its inspection activities, including the negotiation of an inspection perimeter. Part X, paragraph 7, stipulates that "The inspection site shall be designated by the requesting State Party [*the State Party making the allegation of noncompliance*] as specifically as possible by providing a site diagram related to a reference point with geographic coordinates, specified to the nearest second if possible. If possible, the requesting State Party (RSP) shall also provide a map with a general indication of the inspection site and a diagram specifying as precisely as possible the **requested perimeter** of the site to be inspected." The requested perimeter represents where inspection activities are to occur and capturing within its foot print what is to be inspected.

Part X, paragraph 8, further stipulates that "The requested perimeter shall: (a) Run at least a 10 meter distance outside any buildings or other structures; (b) Not cut through existing security enclosures; and (c) Run at least a 10 meters distance outside any existing security enclosures that the requesting State Party intends to include within the requested perimeter." The CWC also permits the [IT](#) to redraw the requested perimeter if it does not meet these specifications. The [DON](#) methodology is designed to assist Commanders, Commanding Officers and Program Managers, and their staffs, in determining whether or not this requested perimeter conforms to the CWC specifications. Although not a Convention term, the resulting perimeter diagram is referred to as the clarified requested perimeter. This activity is supported by the DON Treaty Information Management System (TIMS), a computer-based mapping and inspection management tool.

If the [ISP](#), through its clarification activities of the requested perimeter, cannot reasonably accept the requested perimeter once it is clarified, it may propose an alternate perimeter. The Convention stipulates that "At the point of entry [Washington Dulles International Airport, Virginia], if the ISP cannot accept the requested perimeter, it shall propose an **alternative perimeter** as soon as possible, but in any case not later than 24 hours after the arrival of the IT at the point of entry. In case of differences of opinion, the ISP and the IT shall engage in negotiations with the aim of reaching agreement on a final perimeter."

This is where the negotiations over an inspection perimeter first begin – while still at the point of entry (POE). The CWC also sets parameters on "alternative perimeter" such as "The alternative perimeter should be designated as specifically as possible in accordance with paragraph 8. It shall include the whole of

the requested perimeter and should, as a rule, bear a close relationship to the latter, taking into account natural terrain features and man-made boundaries. It should normally run close to the surrounding security barrier if such a barrier exists. The ISP should seek to establish such a relationship between the perimeters by a combination of at least two of the following means: (a) An alternative perimeter that does not extend to an area significantly greater than that of the requested perimeter; (b) An alternative perimeter that is a short, uniform distance from the requested perimeter; (c) At least part of the requested perimeter is visible from the alternative perimeter.”

The IT may accept the alternative perimeter as the final perimeter. However, if it doesn't, the alternative perimeter becomes the **final perimeter** within 72 hours after the arrival of the inspection team in the vicinity of the inspection site. The Convention clearly wants a speedy agreement on a final perimeter. However, it also seeks to balance [RSP](#) desires to capture the source of the compliance concern with legitimate logistical considerations of the ISP.

Perimeter negotiations are among the first to be undertaken after the IT arrives at the [POE](#) and is likely to continue after the IT is transported to

the vicinity of the inspection site. The Installation will provide critical information about itself to assist in working through perimeter negotiations. The Installation also needs to assess security concerns and sensitive areas. The road to a final perimeter for a challenge inspection may not be clearly defined as it is affected by the rights and obligations of both the ISP and the IT.

#### Points to remember:

A **requested perimeter** is what is provided by the State Party alleging noncompliance or as described in the Treaty -- the RSP.

The ISP may, when presented the requested perimeter, accept it as the **final perimeter**, or;

The ISP may, after clarifying the requested perimeter and ensuring that it meets the specifications of the Treaty, accept the requested perimeter as the **final perimeter** or propose an **alternative perimeter**.

If no agreement is reached on a final perimeter within 72 hours after arriving on site, the **alternative perimeter** becomes the **final perimeter** and inspection activities will commence.

### *Chemical Weapons Convention (CWC)*

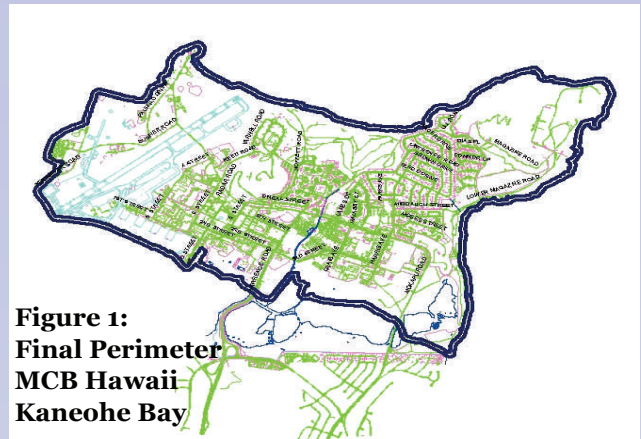
## **Treaty Information Management System (TIMS)**

If a [DON](#) facility is challenged under the [CWC](#), we will not know the extent of the inspectable area until it is presented either with notification of the inspection, or later with the [IT's](#) mandate. Certainly, with imagery produced by today's satellites, virtually any inspection site in the world could be very accurately portrayed. However, it can also be the case that the [RSP](#) would not have the means or resources to portray the area of its concern accurately. The importance of an accurate and universally understood inspection perimeter is paramount to assuring the protection of U.S. national security interests. To facilitate this, the DON developed the [TIMS](#) to provide such a product.

The Naval Surface Warfare Center Indian Head Division Treaty Support Office, in support of the [NTIP](#) and the DON Implementation and Compliance (I&C) Strategy maintains site maps for all DON facilities within its TIMS database. Additionally, as one of the first activities of the DON assistance team sent to the challenged site to support Commanders, Commanding Officers and Program Managers during a [CI](#), these site maps are updated with the best and most accurate information that the site has at the time. Once this update is complete, TIMS is able to support perimeter negotiations quickly and accurately by providing maps and diagrams that facilitate the clarification

tion of the requested perimeter and supports the decision making process during perimeter negotiations to arrive at an alternative or final perimeter. Both negotiating parties - the [ISP](#) and the IT - benefit from this tool and its mapping products.

Figure 1 represents the final perimeter as negotiated during the DON CWC challenge inspection training exercise at Marine Corps Base Hawaii, Kaneohe Bay this past June 2006.



**Figure 1:**  
**Final Perimeter**  
**MCB Hawaii**  
**Kaneohe Bay**

Spotlight on:

## Small Arms/Light Weapons (SA/LW)

The Organization for Security and Cooperation in Europe (OSCE) Document on [SA/LW](#) internationally prohibits the transfer of small arms and light weapons to illegitimate parties. Historically, illicit weapons trafficking fuels regional instability and violent conflict. These devastating effects are evident in war-torn countries such as Sierra Leone, Colombia, and Kosovo. Over the past six years, the [OSCE](#) Document on SA/LW has served as an answer to such issues amongst its 56 participating States Parties.

Small arms and light weapons are man-portable weapons, made or modified to military specifications, for use as lethal instruments of war. Small arms are categorized as weapons intended for individual use by members of both the armed and security forces. Examples include revolvers and self-loading pistols; rifles and carbines; sub-machine guns; assault rifles; and light machine guns. Light weapons are categorized as weapons intended for use by several members of armed or security forces serving as a unit. Light weapons include heavy machine guns; hand-held under-barrel and mounted grenade launchers; portable anti-aircraft guns; portable anti-tank guns; re-

coilless rifles; portable launchers of antitank missile and rocket systems; portable launchers of anti-aircraft missile systems; and mortars of calibers less than 100 mm.

The OSCE Document on SA/LW entered into force 24 November 2000 and has since acted to encourage states to strengthen export controls,



enact and enforce arms brokering laws, and assist regions affected by the SA/LW trade. Participating States agree to develop norms, principles, and measures covering all aspects of the issue. These include the proper marking of small arms, accurate record keeping, and transparency in arms transfers. The Agreement also includes provisions for yearly information exchanges on SA/LW imports and exports, as well as criteria for exports, imports, stockpile management, and surplus small arms destruction. Existing [DON](#) policies and practices regarding SA/LW are consistent with U.S. practices and international norms, and U.S. practices are not expected to change.



## BRAVO ZULU = GREAT JOB!!

BRAVO ZULU to Chief McKee, LT Mueller, LT Ansuini, Jim Pomerene, and Jim John for scheduling and facilitating Open Skies training in the San Diego area this November. Thank you for your exceptional support to the Open Skies mission.

BRAVO ZULU to LT Doane and his shipmates at NAS Pax River, LT Morris and his shipmates at FACSAC VACAPES, and LT McDonough at FACSAC Pensacola for their outstanding assistance in our Special Use Airspace data call.

### Glossary and Acronyms

**ACTD** - Advanced Concept Technology Demonstrations

**AP** - Additional Protocol

**ASN (RD&A)** - Assistant Secretary of the Navy for Research, Development, and Acquisition

**CAP** - Compliance Assessment Program

**CNIC** - Commander, Navy Installations Command

**CI** - Challenge Inspection

**CWC** - Chemical Weapons Convention

**CWC-CI** - Chemical Weapons Convention Challenge Inspection

**DIRSSP** - Director Strategic Systems Program

**DoD** - Department of Defense

**DON** - Department of the Navy

**FNC** - Future Naval Capabilities

**I&C** - Implementation and Compliance

**IAEA** - International Atomic Energy Agency

**ISP** - Inspected State Party

**IT** - Inspection Team

**JCTD** - Joint Capability Technology Demonstrations

**NTIP** - Naval Treaty Implementation Program

**ONR** - Office of Naval Research

**OPCW** - Organization for the Prohibition of Chemical Weapons

**OSCE** - Organization for Security and Cooperation in Europe

**OS** - Treaty on Open Skies

**POC** - Point of Contact

**POE** - Point of Entry

**R&D** - Research and Development

**RSP** - Requesting State Party—the nation that is requesting the Challenge Inspection

**SA/LW** - Small Arms/Light Weapons

**START** - Strategic Arms Reduction Treaty

**TIMS** - Treaty Information Management System



## Feedback

How are we doing? Is there something you would like to see in the next issue? We appreciate any comments or suggestions you may have.

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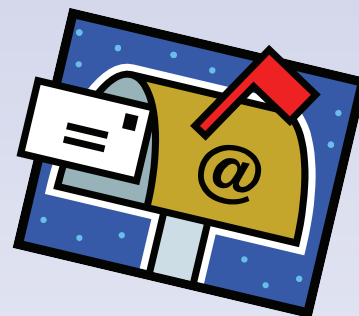


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- POC Phone Number

You can contact us at 301-744-4206 (DSN 354).



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